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SUBJECT: ATTORNEY GENERAL HASSAN ARIFF RESIGNS

1. Summary. The unexpected resignation of the independent-minded Attorney General, over seemingly minor matters, could trigger the unfortunate departure of the Deputy Attorney General who energetically coordinates anti-TIP prosecutions. End Summary.

2. (SBU) Attorney General A.F. Hassan Ariff tendered his resignation on April 28. He cited health grounds but the actual cause appears to have been BDG dissatisfaction with his level of support for pro-BNP members in recent Supreme Court Bar Association elections and his effective acceptance of the Bangladesh Bar Council's cancellation of the law license, for fraudulent credentials, of a pro-BNP High Court judge. PM Khaleda Zia is expected to accept the resignation, effective May 1.

3. (SBU) Ariff has been AG since the outset of the BNP-led administration in October 2001. He periodically told us that he would resign unless the BDG moved to implement the 1999 Supreme Court directive to separate the judiciary from the executive, and he angered BNP officials by refusing to argue personally the BDG's case for yet more extensions on separation. In 2004, Ariff pondered resignation after the BDG's appointment of controversial High Court judges but reportedly agreed to stay on at the PM's request.

4. (SBU) One possible consequence of Ariff's departure is the resignation of Deputy AG Adilur Rahman Khan, who has energetically and effectively coordinated the BDG's aggressive prosecution of human traffickers. Ariff is his mentor and private practice law partner; both started and remain active at prominent human rights NGO Odhikar. On April 26, Khan told us, in the context of his future, that he came with Ariff and he would leave with him.

5. (SBU) Ariff has recommended as his successor his deputy, senior Additional AG A.J. Mohammad Ali. Another candidate is Additional AG Abdur Rezak Khan, who is a BNP activist. Ariff told us that one reason the BDG accepted his resignation was so it could appoint an AG who would better promote the BNP agenda ahead of the general election expected in early 2007.

6. (SBU) Comment: Ariff was sympathetic to the BNP but not a party member. In a government characterized by cronyism, he was a rare example of competence and integrity. It is ironic that his departure was ultimately triggered by a seemingly minor matter like the internal election of a marginal professional body and not an important issue like separation of the judiciary. Deputy AG Khan's departure would be a major blow to anti-TIP prosecutions, at least in the short term.

CHAMMAS